



**PATENT**  
Customer No. 22,852  
Attorney Docket No. 5725.0806

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Carlos PINZON, et al. ) Group Art Unit: 1711  
Application No.: 09/733,896 ) Examiner: RAJGURU, U. K.  
Filed: December 12, 2000 )  
For: USE OF A POLYAMIDE POLYMER IN )  
A LIPSTICK COMPOSITION )  
COMPRISING AT LEAST ONE OIL- )  
SOLUBLE POLYMER CHOSEN )  
FROM ALKYL CELLULOSES AND )  
ALKYLATED GUAR GUMS (AS )  
AMENDED) )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents, including any copending applications, are attached. Applicants respectfully request that the Examiner consider the listed

documents and indicate that they were considered by making appropriate notations on the attached form.

For each of the documents listed below, Applicants have provided an English language abstract.

1. **DE 195 43 988 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
2. **DE 199 51 010** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
3. **DE 38 43 892 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
4. **DE 42 08 297 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
5. **DE 42 34 886 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
6. **EP 0 169 997 B1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
7. **EP 0 577 196 B1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
8. **EP 0 749 748 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
9. **EP 0 925 780 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

10. **EP 1 048 282** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
11. **FR 2 796 272** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
12. **FR 2 796 273** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
13. **FR 2 802 806** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
14. **FR 2 804 017** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
15. **FR 2 804 018** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
16. **FR 2 810 562** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
17. **FR 2 811 225** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
18. **FR 2 817 739** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
19. **FR 2 817 740** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
20. **FR 2 817 743** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

21. **FR 2 819 399** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
22. **FR 2 819 400** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
23. **JP 10/120903** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
24. **JP 11/335228** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
25. **JP 11/335242** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
26. **JP 11/335254** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
27. **JP 2000038314 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
28. **JP 2000038316 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
29. **JP 2000038317 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
30. **JP 2000038321 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
31. **JP 2000086427 A** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

32. JP 2000086429 A - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

33. JP 2000086438 A - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

34. JP 9/20631 - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Examiner the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

*Julia V. Wainement, Reg. No. 39,064*  
By: for Erin C. DeCarlo  
Erin C. DeCarlo  
Reg. No. 51,688

Dated: May 18, 2004

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PATENT & TRADEMARK OFFICE

OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION  
(Use several sheets if necessary)

Atty. Docket No.: 05725.0806-00

Application No.: 09/733,896

Applicant: Carlos O. PINZON et al.

Filing Date: December 12, 2000

Group 1711

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,278,658	7/14/1981	Hooper et al.			
	4,952,245	8/28/1990	Iwano et al.			
	5,302,398	4/12/1994	Egidio et al.			
	5,538,793	7/23/1996	Inokuchi et al.			
	5,620,693	4/15/1997	Piot et al.			
	5,750,127	5/12/1998	Rokitowski			
	5,830,483	11/3/1998	Seidel et al.			
	5,902,592	5/11/1999	Bara et al.			
	5,908,631	6/1/1999	Arnaud et al.			
	5,961,998	10/5/1999	Arnaud et al.			
	5,976,514	11/2/1999	Guskey et al.			
	5,985,298	11/16/1999	Brieva et al.			
	6,007,799	12/28/1999	Lee et al.			
	6,019,962	2/1/2000	Rabe et al.			
	6,045,823	4/4/2000	Vollhardt et al.			
	6,106,820	8/22/2000	Morrissey et al.			
	6,156,804	12/5/2000	Chevalier et al.			
	6,165,454	12/26/2000	Patel et al.			

Examiner

Date Considered:

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Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
	6,180,117	1/30/2001	Berthiaume et al.			
	6,180,123	1/30/2001	Mondet			
	6,221,389	4/24/2001	Cannell et al.			
	6,251,375	6/26/2001	Bara			
	6,287,552	9/11/2001	Tournilhac et al.			
	6,376,078	4/23/2002	Inokuchi			
	6,383,502 B1	5/7/2002	Dunshee et al.			
	6,399,081	6/4/2002	Nakanishi et al.			
	6,423,306	7/23/2002	Caes et al.			
	6,475,500	11/5/2002	Vatter et al.			
	6,479,686	11/12/2002	Nakanishi et al.			

**FOREIGN PATENT DOCUMENTS**

Examiner Initial*	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	DE 195 43 988 A	5/28/1997	Germany			Abstract
	DE 199 51 010	4/26/2001	Germany			Abstract
	DE 38 43 892 A	6/28/1990	Germany			Abstract

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	DE 42 08 297 A	9/23/1993	Germany			Abstract
	DE 42 34 886 A	4/21/1994	Germany			Abstract
	EP 0 169 997 B1	2/5/1986	Europe			Abstract
	EP 0 557 196 B1	8/25/1993	Europe			Abstract
	EP 0 749 748 A	12/27/1996	Europe			Abstract
	EP 0 925 780 A1	6/30/1999	Europe			Abstract
	EP 0 958 804 A2	11/24/1999	Europe			English
	EP 0 958 805 A2	11/24/1999	Europe			English
	EP 1 048 282 A1	11/2/2000	Europe			Abstract
	EP 1 062 944 A1	12/27/2000	Europe			English
	EP 1 062 959 A1	12/27/2000	Europe			English
	EP 1 095 959 A2	5/2/2001	Europe			English
	EP 1 213 011 A1	6/12/2002	Europe			English
	EP 1 213 316 A2	6/12/2002	Europe			English
	FR 2 796 272	1/19/2001	France			Abstract
	FR 2 796 273	1/19/2001	France			Abstract
	FR 2 802 806	6/29/2001	France			Abstract
	FR 2 804 017	7/27/2001	France			Abstract

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	FR 2 804 018	7/27/2001	France			Abstract
	FR 2 810 562	12/28/2001	France			Abstract
	FR 2 811 225	1/11/2002	France			Abstract
	FR 2 817 739	6/14/2002	France			Abstract
	FR 2 817 740	6/14/2002	France			Abstract
	FR 2 817 743	6/14/2002	France			Abstract
	FR 2 819 399	7/19/2002	France			Abstract
	FR 2 819 400	7/19/2002	France			Abstract
	GB 2 014 852	9/5/1979	Great Britain			English
	JP 10/120903	5/12/1998	Japan			Abstract
	JP 11/335228	12/7/1999	Japan			Abstract
	JP 11/335242	12/7/1999	Japan			Abstract
	JP 11/335254	12/7/1999	Japan			Abstract
	JP 2000038314 A	2/8/2000	Japan			Abstract
	JP 2000038316 A	2/8/2000	Japan			Abstract
	JP 2000038317 A	2/8/2000	Japan			Abstract
	JP 2000038321 A	2/8/2000	Japan			Abstract
	JP 2000086427 A	3/28/2000	Japan			Abstract

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	JP 2000086429 A	3/28/2000	Japan			Abstract
	JP 2000086438 A	3/28/2000	Japan			Abstract
	JP 9/20631	1/21/1997	Japan			Abstract
	WO 01/97773 A1	12/27/2001	PCT			English Abstract
	WO 02/03932 A2	1/17/2002	PCT			English
	WO 02/03935 A2	1/17/2002	PCT			English
	WO 02/03950 A2	1/17/2002	PCT			English
	WO 02/03951 A2	1/17/2002	PCT			English
	WO 02/056847 A1	7/25/2002	PCT			English Abstract
	WO 02/056848 A1	7/25/2002	PCT			English Abstract
	WO 02/092047 A1	11/21/2002	PCT			English
	WO 02/47619 A2	6/20/2002	PCT			English
	WO 02/47622 A2	6/20/2002	PCT			English Abstract
	WO 02/47629 A1	6/20/2002	PCT			English Abstract
	WO 02/47630 A1	6/20/2002	PCT			English Abstract
	WO 02/49583 A1	6/27/2002	PCT			English
	WO 98/22078	5/28/1998	PCT			English Abstract

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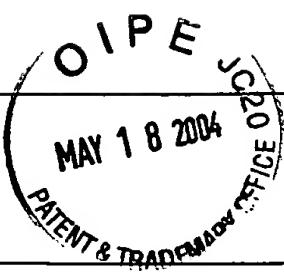
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Co-Pending Application No. 09/618,032; issued as U.S. Patent No. 6,402,408 on June 11, 2002, Attorney Docket No. 5725.0659-00 Title: COMPOSITION CONTAINING A LIQUID FATTY PHASE GELLED WITH A POLYAMIDE CONTAINING ESTER END GROUPS Inventor: Véronique FERRARI U.S. Filing Date: July 17, 2000
	Co-Pending Application No. 10/012,029; Attorney Docket No. 5725.1003-00-000 Title: COSMETIC COMPOSITIONS COMPRISING A POLYMER BLEND U.S. Filing Date: December 11, 2001
	Co-Pending Application No. 10/413,217, Attorney Docket No. 5725.0895-01000 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: April 15, 2003
	Co-Pending Application No. 10/450,108, Attorney Docket No. 5725.1198-00-000 Title: COSMETIC COMPOSITION COMPRISING A POLYMER AND FIBRES U.S. Filing Date: June 11, 2003
	Co-Pending Application No. 10/459,636, Attorney Docket No. 5725.1336-00-000 Title: COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS OF USING THE SAME U.S. Filing Date: June 12, 2003
	Co-Pending Application No. 10/466,166, Attorney Docket No. 5725.1228-00-000 Title: COSMETIC COMPOSITION COMPRISING A MIXTURE OF POLYMERS U.S. Filing Date: July 14, 2003
	Co-Pending Application No. 10/618,315, Attorney Docket No. 5725.1337-00-000 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT U.S. Filing Date: July 11, 2003
	Co-Pending Application No. 10/746,612, Attorney Docket No. 5725.1338-01-000 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT U.S. Filing Date: December 22, 2003
	Co-Pending Application No. 10/747,412, Attorney Docket No. 5725.1338-02-000 Title: COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS OF USING THE SAME U.S. Filing Date: December 22, 2003
	Co-Pending Application No. 10/787,440, Attorney Docket No. 5725.0816-02-000 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE U.S. Filing Date: February 27, 2004
	Co-Pending Application No. 10/787,441, Attorney Docket No. 5725.0795-02-000 Title: COSMETIC COMPOSITIONS COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME U.S. Filing Date: February 27, 2004
	English language DERWENT abstract of DE 42 08 297

Examiner	Date Considered:
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce



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(Use several sheets if necessary)

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Applicant: Carlos O. PINZON et al.	
Filing Date: December 12, 2000	Group 1711

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	English language DERWENT abstract of DE 195 43 988
	English language DERWENT abstract of DE 199 51 010
	English language DERWENT abstract of DE 38 43 892
	English language DERWENT abstract of DE 42 34 886
	English language DERWENT abstract of EP 0 169 997 B1
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	English language DERWENT abstract of FR 2 819 400

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	English language DERWENT abstract of JP 11335254
	English language DERWENT abstract of JP 2000038314 A
	English language DERWENT abstract of JP 2000038316 A and JP 2000038317 A
	English language DERWENT abstract of JP 2000038321 A
	English language DERWENT abstract of JP 2000086427 A
	English language DERWENT abstract of JP 2000086429 A
	English language DERWENT abstract of JP 2000086438 A
	English language DERWENT abstract of JP 9020631
	Handbook of Cosmetic Science and Tech. Elsevier Advanced Tech., 1st Edition (1994), pg. 19
	International Search Report in PCT/FR01/03726, dated April 9, 2002
	Kirk-Othmer, "Encyclopedia of Chemical Technology", Third Edition, Volume 22, John Wiley & Sons, 1983, pp. 332-342
	PCT Application No. PCT/US04/01071; Attorney Docket No. 5725.1335-00-304 Title: LONG WEAR COSMETIC COMPOSITION Inventor: Balandra ATIS International Filing Date: January 16, 2004
	PCT Application No. PCT/US03/41618; Attorney Docket No. 5725.1338-00-304 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT Inventor: Shao Xiang LU , Terry VAN LIEW, Nathalie GEFFROY-HYLAND International Filing Date: December 22, 2003
	U.S. Patent Application Publication No. US 2001/0014312, dated August 16, 2001
	U.S. Patent Application Publication No. US 2002/0058053, dated May 16, 2002

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U.S. Patent Application Publication No. US 2002/0081323, dated June 27, 2002

U.S. Patent Application Publication No. US 2002/0102225, dated August 1, 2002

U.S. Patent Application Publication No. US 2002/0131947, dated September 19, 2002

U.S. Patent Application Publication No. US 2002/0141958, dated October 3, 2002

U.S. Patent Application Publication No. US 2002/0159964, dated October 31, 2002

U.S. Patent Application Publication No. US 2003/0044367 A1, dated March 6, 2003

U.S. Patent Application Publication No. US. 2002/0114771, dated August 22, 2002

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